



02-13-03

CPA/3764

PTO/SB/29 (10-00)  
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## CONTINUED PROSECUTION APPLICATION (CPA) REQUEST TRANSMITTAL

Submit an original, and a duplicate for fee processing.  
(Only for Continuation or Divisional applications under 37 CFR 1.53(d))

CHECK BOX, if applicable:  
☐ DUPLICATE

Address to:

Assistant Commissioner for Patents  
Box CPA  
Washington, DC 20231

Attorney Docket No.  
of Prior Application

DYC-011

First Named Inventor

Robert J. Watts

Examiner Name

L.M. Hamilton

Group Art Unit

3764

Express Mail Label No.

EV 064729097 US

This is a request for a ☒ continuation or ☐ divisional application under 37 CFR 1.53(d),  
(continued prosecution application (CPA)) of prior application number 09 / 529,482,  
filed on 10/12/98 (IA) entitled ANKLE-FOOT ORTHOSIS

RECEIVED

### NOTES

FEB 20 2003

**FILING QUALIFICATIONS:** The prior application identified above must be a nonprovisional application that is either: (1) complete as defined by 37 CFR 1.51(b), or (2) the national stage of an international application. ~~Effective May 29, 2000, a CPA may only be filed in a utility or a plant application if the prior nonprovisional application was filed before May 29, 2000. A CPA may be filed in a design application regardless of the filing date of the prior application. See "Request for Continued Examination Practice changes to and Provisional Application Practice," Final Rule, 65 Fed. Reg. 50092 (Aug. 16, 2000); Interim Rule, 65 Fed. Reg. 14865 (Mar. 20, 2000), 1233 Off. Gaz. Pat. Office (Apr. 11, 2000).~~

**C+P NOT PERMITTED:** A continuation-in-part application cannot be filed as a CPA under 37 CFR 1.53(d), but must be filed under 37 CFR 1.53(b).

**EXPRESS ABANDONMENT OF PRIOR APPLICATION:** The filing of this CPA is a request to expressly abandon the prior application as of the filing date of the request for a CPA. 37 CFR 1.53(b) must be used to file a continuation, divisional, or continuation-in-part of an application that is not to be abandoned.

**ACCESS TO PRIOR APPLICATION:** The filing of this CPA will be construed to include a waiver of confidentiality by the applicant under 35 U.S.C. 122 to the extent that any member of the public who is entitled under the provisions of 37 CFR 1.14 to access to, copies of, or information concerning, the prior application may be given similar access to, copies of, or similar information concerning, the other application or applications in the file jacket.

**35 U.S.C. 120 STATEMENT:** In a CPA, no reference to the prior application is needed in the first sentence of the specification and none should be submitted. If a sentence referencing the prior application is submitted, it will not be entered. A request for a CPA is the specific reference required by 35 U.S.C. 120 and to every application assigned the application number identified in such request, 37 CFR 1.78(a).

**WARNING:** Information on this form may become public. Credit card information should not be included on this form. Provide credit card information and authorization on PTO-2038.

1. ☐ Enter the unentered amendment previously filed on \_\_\_\_\_  
under 37 CFR 1.116 in the prior nonprovisional application.
2. ☐ A preliminary amendment is enclosed.
3. This application is filed by fewer than all the inventors named in the prior application, 37 CFR 1.53(d)(4).
  - a. ☐ **DELETE** the following inventor(s) named in the prior nonprovisional application:  
.....
  - b. ☐ The inventor(s) to be deleted are set forth on a separate sheet attached hereto.
4. ☐ A new power of attorney or authorization of agent (PTO/SB/81) is enclosed.
5. Information Disclosure Statement (IDS) is enclosed:
  - a. ☐ PTO-1449
  - b. ☐ Copies of IDS Citations

[Page 1 of 2]

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(Continued Prosecution Application (CPA) Request Transmittal (PTO/SB/29)) [4-2.1]—page 1 of 2)

02/14/2003 MBERHE 00000094 09529482

01 FC:2006  
02 FC:2202

375.00 OP  
45.00 OP

**FAX MESSAGE FROM:**

**Law Offices of  
SCHNECK & SCHNECK  
P.O. Box 2-E  
80 S. Market Street  
Third Floor  
San Jose, CA 95109-0005**

**TELEPHONE:(408) 297-9733****FAX:(408) 297-9748****EMAIL: MAIL@PATENTVALLEY.COM****DATE:** February 13, 2003**TO:** Patent and Trademark Office**ATTN:** L.M. Hamilton - Group Art Unit 3764**FAX NO.:** (703) 306-4520**REF.:** DYC-011 CPA filed

U.S. Serial No. 09/529,482  
IA filing date: 10/12/98  
For: ANKLE-FOOT ORTHOSIS  
Inventor: Robert J. Watts  
Our ref: DYC-011

**THIS MESSAGE CONSISTS OF  
THIS COVER SHEET PLUS 4 OTHER PAGES**

Per your request, attached is a copy of the CPA filed  
2/12/03 for the above-identified patent application.

Thanks,

David Schneck/sa

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Confidentiality Note

This facsimile may contain material that is confidential, privileged and/or attorney work product for the sole use of the intended recipient. Any review, reliance or distribution by others or forwarding without express permission is strictly prohibited. If you are not the intended recipient, please contact the sender and destroy all copies.

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(Continued Prosecution Application (CPA) Request Transmittal (PTO/SB/29)) (4-2.1)—page 1 of 2)

PTO/SB/29 (10-00)

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CLAIMS	(1) FOR	(2) NUMBER FILED	(3) NUMBER EXTRA	(4) RATE	(5) CALCULATIONS
TOTAL CLAIMS (37 CFR 1.103(c) or (d))		25 -20* =	5	x \$ 18.00 =	\$ 90.00
INDEPENDENT CLAIMS (37 CFR 1.103(c) or (d))		3 -3** =	0	x \$ _____ =	
MULTIPLE DEPENDENT CLAIMS (if applicable) (37 CFR 1.103(d))				+ \$ _____ =	
				BASIC FEE (37 CFR 1.18)	\$ 750.00
				Total of above Calculations =	\$ 840.00
Reduction by 50% for filing by small entity (Note 37 CFR 1.27).					\$ 420.00
				TOTAL =	\$ 420.00

6. ☒ Small entity status: Applicant claims small entity status. See 37 CFR 1.27.
7. The Commissioner is hereby authorized to credit overpayments or charge the following fees to Deposit Account No. 19 0590 any additional
- a. ☐ Fees required under 37 CFR 1.16.
- b. ☐ Fees required under 37 CFR 1.17.
- c. ☐ Fees required under 37 CFR 1.18.
8. ☒ A check in the amount of \$ 885.00 is enclosed. =(for filing fee, extra claims, & 3-month time extension.)
9. ☐ Payment by credit card. Form PTO-2038 is attached.
10. ☐ Applicant requests suspension of action under 37 CFR 1.103(b) for a period of \_\_\_\_\_ months (not to exceed 3 months) and the fee under 37 CFR 1.17(i) is enclosed.
11. ☐ New Attorney Docket Number, if desired \_\_\_\_\_  
(Prior application Attorney Docket Number will carryover to this CPA ~~10/233~~ a new Attorney Docket Number has been provided herein.)
12. a. ☐ Receipt For Facsimile Transmitted CPA (PTO/SB/29A)
- b. ☒ Return Receipt Postcard (Should be specifically itemized. See MPEP 503)
13. ☒ Other: Petition for Extension of Time..., Cert. of Mailing.

**NOTE:**

The prior application's correspondence address will carry over to this CPA UNLESS a new correspondence address is provided below.

**14. NEW CORRESPONDENCE ADDRESS**☒ Customer Number or Bar Code Label

003897

or ☐ New correspondence address below

(Insert Customer No. or Attach bar code label here)

Name	Law Offices of Schneck & Schneck				
Address	P.O. Box 2-E				
City	San Jose	State	CA	Zip Code	95109-0005
Country	U.S.A.	Telephone	408/297-9733	Fax	408/297-9748

**15. SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT REQUIRED**

Name (Print/Type)	Thomas Schneck
Signature	<i>Thomas Schneck</i>
Registration No. (Attorney/Agent)	24,518
Date	February 12, 2003

(Page 2 of 2)

(Continued Prosecution Application (CPA) Request Transmittal (PTO/SB/29)) [4-2.1]—page 2 of 2)



PTO/SB/03 (10-99)

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DYC-011

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EV 064729097 US

February 12, 2003

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Sally Azevedo

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